

REMARKS

The Final Office Action mailed August 12, 2009, has been carefully reviewed. By the amendments presented above, rejected claim 2 is cancelled without prejudice, withdrawn claims 13-17 are cancelled without prejudice, and claim 1 is amended without prejudice to specify that L is ethylene, whereby the present application should now be in condition for formal allowance. Favorable consideration and early formal allowance are respectfully requested.

Claim 2 has been rejected as being a substantial duplicate of claim 1. Claim 2 has now been deleted.

Claims 1-12 have been objected to for containing non-elected inventions. The objection is respectfully traversed.

Nevertheless, claim 1 has been amended above to specify that L is ethylene, whereby the present application should be placed in condition for formal allowance.

Applicants note for the record that the restriction requirement included both forms of L, and that it was only an election of species which distinguished between the two forms of L. While Applicants believe that their position is correct for the reasons of record, nevertheless, in view of the finality of the instant action and the ability of Applicants to rely on the Examiner's holding as regards the requirements made under §121, Applicants have complied with the Examiner's requirements, i.e. Applicants are proceeding in reliance thereof, reserving the right to proceed with one or more divisional applications including the coverage of the other species of L and/or the subject matter of withdrawn and now cancelled claims 13-17, and/or other restricted out and withdrawn material.

In re Application of Hiroshi KOYANO et al
Appln. No. 10/584,233
Amendment dated November 10, 2009
Reply to Final Rejection dated August 12, 2009

Withdrawal of the objections is now clearly in order, and is of course is respectfully requested.

All issues having apparently been resolved, Applicants look forward to an early notice of allowance.

If the Examiner has any questions or suggestions, he is respectfully requested to contact the undersigned at (202) 628-5197.

Respectfully submitted,

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